

REMARKS

Claim 46 is amended, as discussed below. Claims 1-45 and 47 have been canceled without prejudice or disclaimer. Claims 48-49, 52-67 and 72-74 have been withdrawn. Claims 75-85 have been added. New claims 75-85 mirror the amended pending claims, except for the use of the transitional phrase "consisting of." Claims 46 and 48-85 are pending in the application.

It is respectfully submitted that the present amendment presents no new issues or new matter and places this case in condition for allowance. Reconsideration of the application in view of the above amendments and the following remarks is requested.

I. The Rejection of Claims 46, 50, 51 and 68-71 under 35 U.S.C. 112

Claims 46, 50, 51 and 68-71 are rejected under 35 U.S.C. 112, as lacking written description support. The Examiner states that there is no support for variants comprising no more than 14 substitutions in *Myceliophthora thermophila* laccase.

In order to expedite prosecution, the claims are amended to delete the alleged new matter. For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 112. Applicants respectfully request reconsideration and withdrawal of the rejection.

II. The Rejection of Claims 46, 50, 51 and 68-71 under 35 U.S.C. 112

Claims 46, 50, 51 and 68-71 are rejected under 35 U.S.C. 112, as being indefinite. The Examiner states that because a "modification" is not necessarily a "substitution", it is unclear whether the 14 modifications are substitutions. The Examiner suggests amending the claim to replace "modification" with "substitution".

This rejection is rendered moot by the amended claims. For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 112. Applicants respectfully request reconsideration and withdrawal of the rejection.

III. The Rejection of Claims 46 and 68-71 under 35 U.S.C. 103

Claims 46 and 68-71 are rejected under 35 U.S.C. 103 as obvious over Svendsen et al. The Examiner states that Svendsen et al. teaches a substitution at position A506 with glutamic acid, but it would have been obvious to substitute an amino acid other than glutamic acid in view of a small total number of naturally occurring amino acids and because Svendsen et al. teaches the importance of this position. The Examiner states that substitution with a similar amino acid will result in similar properties.

This rejection is rendered moot by the amended claims.

For the foregoing reasons, Applicants submit that the claims overcome this rejection under 35 U.S.C. 103. Applicants respectfully request reconsideration and withdrawal of the rejection.

IV. Conclusion

In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Examiner is hereby invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,

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